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Broadcasting Oct 10

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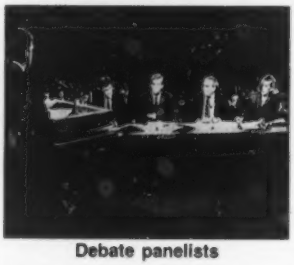
NTIA's blueprint for the 21st Century

Knight-Ridder bails out

Vol. 115 No. 15

Broadcasting Oct 10

SQUARING OFF...



Debate panelists

Vice Presidential candidates Dan Quayle and Lloyd Bentsen held first and only debate of campaign in Omaha last week. Television and Radio were there to capture the sometimes heated exchange.

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LOOKING AHEAD...

NTIA Report on telecommunications in the year 2000 says that communications policymakers must substitute competition for regulation so that broadcasters have a place in the crowded media future.

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DOWN TO THE WIRE...

With a week to go in the hundredth Congress, communications issues, including satellite and children's TV legislation, remain unsettled.

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36/**FOR SALE**
Knight-Ridder announces that its eight television stations are on the block.

38/**COSBY KICKOFF**
Cosby debut in syndication opens to mixed reviews, with ratings higher than lead-ins and predecessors but lower than some had projected.

39/ **LATE 'LATE SHOW'**
Fox drops its low-rated nighttime offering. It also announces a spring debut for its third night of programing, with Monday and Wednesday possible candidates.

41/**WARC WORK**
At international meeting in Geneva, parties develop geostationary orbit plan for fixed satellite services.

43/**DAYTIME DOLDRUMS**
Network TV revenues are down during the day. Among the reasons offered are a lack of clearances, cable competition and the adoption of peoplemeters.

44/**PRODUCTION INFLATION**
Program producers complain that the costs of creating TV shows, on a steady rise for a number of years, show no signs of stopping. Many firms are moving their productions out of the U.S. and overseas to control costs through co-productions.

47/**OLYMPIC SHORTFALL**
Lower-than-promised ratings for NBC's Olympics coverage has forced network to provide millions in makegoods with the result being a "marginal" profit.

48/**HIGH ROLLERS**
Among the highlights of the annual Atlantic Cable Show in Atlantic City is Ted Turner's launch of TNT.

49/**BIRDS FLY**
GE Americom signs a contract worth about $100 million with Alaskan long-distance carrier Alascom to launch two C-band satellites. It also files applications with the FCC to launch replacements for cable birds Satcom F3R and F4.

49/**HIGH ON WIRELESS**
Wireless Cable Association meets in Washington confident that it has carved a niche in the programing delivery universe.

51/**TOP OF THE DIAL**
Arbitron's summer radio ratings show top stations in L.A. and New York unchanged, while Chicago sees a veteran comeback. Additional late-breaking market leaders can be found in "In Brief," page 88.

52/**50th ANNIVERSARY**
It will have been 50 years ago Oct. 30 that the CBS Radio War of the Worlds broadcast took much of the nation inadvertently by surprise. Much activity is attending that anniversary.

55/**MIGHTY MIP**
Annual international TV programing show in Cannes expected to break attendance records. Among the throng are some six dozen American exhibitors out for their share of the Western European programing dollar.

56/**TOGETHERNESS**
The growth in European TV outlets has led to an increase in U.S. co-productions with France and Italy, in addition to old and new British alliances.

58/**SOVIET UNION**
U.S. Broadcasters and government communications officials found some common ground in talks with their counterparts in the U.S.S.R, but sticking points, like jamming and interference, remained unsettled.

61/**SMPTE CENTER STAGE**
High-definition TV will be the focus of the communications engineering community at their annual convention in New York, set to begin Oct. 15.

64/**CABLE REPORT**
Congressional survey from Senator Howard Metzenbaum (D-Ohio) holds that cable competitors are being denied programing. Government Accounting Office report on cable rate increases also released.

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applicants, clarifying standards broadcasters must meet to win "renewal expectancies" and reconsidering criteria used in comparative hearings, particularly diversity of ownership.

FCC stopped short of proposing two-step renewal process, by which FCC would first decide whether to renew license before considering competing applicants.

To gather evidence of "extortion" in comparative renewal and petition-to-deny processes, National Association of Broadcasters has sent questionnaire to members and, to insure confidentiality of survey, has hired accounting firm to collect and organize responses.

Compulsory License

FCC is conducting inquiry into cable compulsory license, and may have "front burner" item ready for action this fall. If views of FCC Chairman Dennis Patrick are guide, inquiry could lead to recommendation that Congress abolish license, although Patrick has acknowledged that abolishing it for carriage of local stations would create practical problems.

Reexamination of license on Capitol Hill failed to materialize despite introduction of legislation. House Telecommunications Subcommittee member John Bryant (D-Tex.) has offered bill (BROADCASTING, April 4) to condition compulsory license on whether cable operator is carrying local broadcast signals. Senate Copyright Subcommittee Chairman Dennis DeConcini (D-Ariz.) offered similar measure in June (BROADCASTING, June 20). NAB television board has directed staff to investigate all aspects of compulsory license as part of joint board's consideration of must-carry issues. In comments on license inquiry, cable generally supported retention of license while program producers opposed it. NAB softened its long-standing opposition, arguing that license should be left alone for time being.

BY THE NUMBERS

Summary of broadcasting and cable

BROADCASTING			
SERVICE	ON AIR	CP's[1]	TOTAL *
Commercial AM	4,913	287	5,199
Commercial FM	4,085	565	4,650
Educational FM	1,339	297	1,636
■ Total Radio	10,337	1,149	11,485
FM translators	1,585	435	2,020
Commercial VHF TV	543	18	561
Commercial UHF TV	501	200	701
Educational VHF TV	119	6	125
Educational UHF TV	215	30	245
■ Total TV	1,378	254	1,632
VHF LPTV	106	163	269
UHF LPTV	282	1,143	1,425
■ Total LPTV	388	1,306	1,694
VHF translators	3,067	109	3,176
UHF translators	2,179	348	2,527
ITFS[2]	250	114	364
Low-power auxiliary	824	0	824
TV auxiliary	7,430	205	7,635
UHF translator/boosters	6	0	6
Experimental TV	3	5	8
Remote pickup	12,338	53	12,391
Aural STL[3] & intercity relay	2,836	166	3,002

CABLE†	
Total subscribers	47,042,000
Homes passed	73,900,000
Total systems	8,000
Household penetration†	52.8%
Pay cable penetration	32%

* Includes off-air licenses. † Penetration percentages are of TV household universe of 86.6 million. [1] Construction permit. [2] Instructional TV fixed service. [3] Studio-transmitter link.

Crossownership

■ *Telco-cable*—FCC has tentatively concluded it should recommend Congress lift crossownership ban on telephone companies providing cable television service in their service areas. Commission, which made proposal at its July 20 meeting, will seek comments on subject, as well as on separate considerations to loosen its own regulatory restrictions on crossownership. FCC move follows National Telecommunications and Information Administration report on cable television regulation that recommended that telephone companies be allowed to serve as transporters of others' programing in telcos' own service areas (BROADCASTING, June 20). They should be allowed to provide "video dial tone" to anyone with program to offer, although not programing of their own, in NTIA's view.

At present, not only FCC regulations and 1984 Cable Act, but also modified final judgment issued by U.S. Judge Harold Greene in his supervision of breakup of AT&T, is seen as barrier to such crossownership by seven Bell operating companies. NTIA has petitioned FCC to preempt Greene's regulation of BOC's, arguing that Greene is hampering BOC entry into information services, including cable.

Resolution now pending in House calls on Congress to wrest jurisdiction from Greene and eliminate barriers. Measure has backing of House Energy and Commerce Committee Chairman John Dingell (D-Mich.) and, at last count, 112 co-sponsors.

National Cable Television Association and California Cable Television Association have asked FCC commissioners to review staff's April 12 decision to waive telco-cable crossownership rules and allow GTE to build cable system in Cerritos, Calif.

Duopoly/one-to-a-market—FCC Chairman Dennis Patrick, speaking at NAB radio convention Sept. 16, said he favors some relaxation of duopoly and one-to-a-market rules and that record in current rulemaking supports such a move. But FCC officials indicated that opposition from Hill to any FCC initiative involving liberalization of broadcast ownership rules makes action on rules unlikely at this time.

Broadcast-newspaper—Appropriations bill (J.R. 4782), which appears on its way to law, includes provision that prevents FCC from reexamining its broadcast-newspaper crossownership rules.

Rupert Murdoch won victory in U.S. Court of Appeals in Washington March 29 when court ruled that statute passed by Congress in session's final hours violated First and Fifth Amendments by prohibiting FCC from extending current waivers of rule banning newspaper-television station crossownership. Court did not rule on constitutionality of substance of provision that bars commission from repealing or modifying television-newspaper crossownership ban.

Direct Broadcast Satellites

■ Already mode of program distribution in Japan and moving fast in Europe, high-power

seems to me that television stations might very well benefit, rather than be hurt, by a competitive TV industry in which telephone companies were a strong competitor:

■ A competitive cable industry would make all cable systems less likely to charge a fee to local TV stations for carrying their signals, as some existing cable operators have proposed to do.

■ A competitive cable industry would give local TV stations another outlet for carriage of their signals and should make it less likely—in an era without must-carry rules—that local stations would be dropped.

■ Telephone company fiber optic technology may ease the TV industry's transition to high-definition transmissions by allowing television stations to transmit their signals with high-definition quality more quickly than would be possible by relying on over-the-air technology alone.

With regard to the First Amendment, surely television stations won't try to argue that the government should muzzle telephone company speech. After years of fighting against government restrictions on broadcaster speech, television stations should be embarrassed to contend that the government should regulate telephone company speech. The First Amendment right to speak freely applies to everyone—even to the many cable operators who today have a monopoly in their local communities.—*Rodney L. Joyce, Ginsburg, Feldman & Bress, Washington (whose clients include telephone industry interests).*

Public interest kudos

EDITOR: Your Sept. 19 profile of Andy Schwartzman, current director of Media Access Project, was enjoyable and informative. Its reference to him as "one of a vanishing breed of public interest lawyers specializing in communications law" is accurate, as many former public interest lawyers are "now basically mainstream."

Therefore it is important that some mention should be made of other long-standing public interest law firms that remain active in the communications field. For example, Citizens Communications Center—whose name is found in many landmark rulings—is now part of Georgetown University Law Center's Institute for Public Representation and recently appointed a new director, as it continues to work before the FCC and the courts. Similarly, New York Law School's Media Law Clinic conducts an active public interest communications practice. And there are more.

Public interest law organizations such as these perform a valuable function that complements the work done by Media Access Project. Perhaps the critical point to emphasize is that they all represent the views of important segments of the public that would otherwise go unrepresented. Even if we might disagree with these views, the expense of letting them "vanish" at the FCC or in court might well invite greater public criticism of the media and more congressional involvement in broadcast regulation.—*Harvey J. Shulman, Washington.*

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ABOVE IS KEY TO ILLUSTRATION ON PAGE 45

increasing amounts of entertainment programing will be produced overseas and in partnership with foreign producers as a way of solving the deficit problem. "Of our six one-hour series," said Harris, "we are doing five outside of the U.S. for cost control purposes." He added, "That is something I'm not so sure is accomplishable in this town [Hollywood] on a regular basis." Two of those series involve co-ventures being produced in Australia.

Paramount is producing both *Mission Impossible* and *Dolphin Bay* at the Village Roadshow Studios in Brisbane, Australia. The former, scheduled to debut Oct. 23 on ABC, is a co-venture among Paramount, ABC and Australia's Network Nine, which will also broadcast the program. Paramount and Network Nine are also co-venturers in *Dolphin Bay*, along with CBS, which will use the program as a midseason replacement. In both instances, the programs meet Australian content requirements, which enable Paramount to charge a higher license fee to Network Nine.

Gradinger noted that New World is also in the co-venture business to ease the deficits associated with program production. The upcoming ABC adventure spoof, *A Fine Romance*, is a joint effort of New World, Phoenix Entertainment and England's London Weekend Television. The program is being produced in London and has one British star (Anthony Andrews) and several British writers and producers associated with it.

"The 1990's appear to be ready for a truly significant cultural revolution in television," said Gradinger. "Foreign co-production money, partnerships and investment will become commonplace. Foreign money will mean foreign influence. Foreign producers, writers, directors and actors will be in the

Week two, sort of: NBC wins, ABC takes news

According to Nielsen, Oct. 2 marked the end of week three of the 1988-89 television season. But for the three networks, the week might more aptly be called "week zero"—or "week 52-plus-two." All three networks agree on when the end of the 1987-88 broadcast year occurred: Sept. 18, 1988, but the startup for '88-'89 is causing some disagreement.

Typically, memoranda circulated by the networks that report the national standings for prime-time programing list the current week number. The memos are still circulating, but the listing for the season's week number has disappeared—at least at ABC and CBS. NBC began counting down the weeks for the current season on Sept. 19 and lists Sunday, Oct. 2, as the last day of week two.

In any case, according to an ABC memorandum, NBC took the week with a 17.5 rating and a 29.8 share. ABC came in second with a 12.3/20.6 and CBS followed with an 11.2/18.6. Last year, the week ended Oct. 4 also went to NBC with a 17.4/29.2. CBS was second, with a 13.2/22.2 followed by ABC's 12.8/21.4.

Week two's battle for evening news went to ABC's *World News Tonight*, when it posted a 10.0/20 over CBS's and NBC's 9.8/20 and 9.8/21. A year ago, the news numbers were: CBS, 11.2/23; NBC 10.1/21, and ABC, 9.6/20.

The HUT level (homes using television) for week two stood at 59.4, representing 53.7 million households. Last year, the HUT level was 59.6 (52.8 million households).

There was a break in the weather for CBS and ABC during the week. NBC's Olympic coverage experienced some falloff in the ratings numbers—and thereby let CBS's *60 Minutes* pull into fourth place with a 17.5/29, above the fifth-ranked Wednesday Olympics broadcast (17.2/31). CBS's Sunday movie, "Cocoon" ranked sixth for the week (17.1/31), followed by ABC's Sunday offering, the made-for, *Liberace* (16.8/27). CBS's *Murder, She Wrote* came in eighth with a 16.7/26.

NBC's Friday coverage of the Olympics ranked ninth (16.4/32), while the Saturday coverage came in 10th with a 16.3/33. The closing events for the Olympics ranked 23rd with a 12.3/20.

	Nielsen	Net	Show
1.	19.3/32	N	Olympics, Monday
2.	18.9/34	N	Olympics, Tuesday
3.	17.6/31	N	Olympics, Thursday
4.	17.5/29	C	60 Minutes
5.	17.2/31	N	Olympics, Wednesday
6.	17.1/31	C	CBS Sunday Movie
7.	16.8/27	A	ABC Sunday Movie
8.	16.7/26	C	Murder, She Wrote
9.	16.4/32	N	Olympics, Friday
10.	16.3/33	N	Olympics, Saturday
11.	15.4/27	A	20/20
12.	15.0/24	A	Head of the Class, Thurs.
13.	14.6/25	A	Growing Pains, Thursday
14.	13.8/22	A	ABC Tuesday Movie
15.	13.7/22	A	Monday Night Football
16.	13.5/22	A	ABC Wednesday Movie
17.	13.4/22	A	Head of the Class
18.	13.3/21	A	Head of the Class, Tues.
19.	13.1/23	A	Growing Pains
20.	13.1/21	C	CBS Thursday Movie
21.	12.8/22	A	Growing Pains, Tuesday
22.	12.3/19	C	CBS Monday Movie
23.	12.3/20	N	Olympics Closing
24.	11.7/19	C	Newhart
25.	11.3/17	A	Perfect Strangers, Sunday
26.	11.2/17	C	Cavanaughs
27.	11.1/18	A	Comedy Club Special
28.	11.1/18	C	CBS Tuesday Movie
29.	11.0/18	A	Who's the Boss? Sunday
30.	10.6/19	A	Just the Ten of Us
31.	10.5/19	A	Full House
32.	10.5/18	C	CBS Friday Movie
33.	10.4/18	A	Mr. Belvedere
34.	10.4/20	A	Who's the Boss? Saturday
35.	9.9/16	C	Girl... Red Truck, C. Brown
36.	9.4/17	A	ABC Saturday Movie
37.	9.2/15	C	48 Hours
38.	9.1/17	A	Perfect Strangers
39.	9.0/15	C	Live! Dick Clark Presents
40.	9.0/16	C	Wiseguy
41.	8.5/14	A	Mutts
42.	8.2/15	C	Beauty and the Beast
43.	7.9/13	C	Equalizer
44.	7.5/12	F	America's Most Wanted
45.	7.4/13	A	Mr. Belvedere, Sunday
46.	7.3/11	F	Married...With Children
47.	7.1/13	C	CBS Saturday Movie
48.	5.7/10	F	21 Jump Street
49.	5.6/10	C	Frank's Place
50.	5.4/10	C	First Impressions
51.	4.8/7	F	Gary Shandling Show
52	3.7/6	F	Tracey Ullman Show
53.	3.6/7	A	Lyndon Larouche in '88
54	3.5/7	F	Reporters
55.	2.9/5	F	Beyond Tomorrow
56.	2.8/5	F	Duet

* Indicates premiere episode

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In Brief

Vandalism, threats and court actions replaced negotiations last week, second week of Teamsters strike against Alliance of Motion Picture and Television Producers. Los Angeles court on Wednesday Oct. 5, granted restraining order to Lorimar, MTM/CBS and Stephen J. Cannell studios limiting Teamsters' striking activities. Defendants listed on restraining order are Local 399 (studio transportation drivers), International Brotherhood of Electrical Workers Local 40 (studio utility employes) and Local 724, affiliated with Laborers International Union of North America, AFL-CIO. Several studios reported vandalism and threats against studio employes, including vandalism at Stephen J. Cannell studios where production of *Hunter* and *Sonny Spoon* was halted on Monday, Oct. 3, due to bomb threats, slashed tires, sabotaged brake lines and trailer hitches, as well as physical assaults and death threats against Cannell employes. Injunction against Teamsters orders that strikers should not "engage in, attempt to engage in, or threaten physical violence or harm to the person or property of any of plaintiffs' representatives, visitors, invitees, suppliers, employes, contractors or customers...." Restraining order also prohibits strikers from blocking entrances through placement of objects or assembling in front of entrances or exits. Two sides are still deadlocked over proposed wage rollbacks and workweek guidelines. Alliance originally requested $2.61 wage rollback for some transportation drivers. Nicholas Counter, AMPTP president, said the alliance has modified original demand and now is offering combination of decreased rollback and wage freezes. Alliance is still holding fast to demand that Saturday and Sunday work be paid like work on Monday-Friday, instead of double-time which is current policy.

□

News/talk KGO(AM) **San Francisco**'s age 12-plus audience share dropped from 8.4 to 7.1 but maintained number-one spot in shaken market, according to just-released summer 1988 Arbitron book (see page 51). In head-to-head **Boston** market, contemporary hit WXKS-FM dropped from 8.6 to 7.1, tying for the number-one spot with talk WRKO(AM), which dropped from 7.7 spring 1988 share. **Washington** market saw country WMZQ-AM-FM maintain top spot with share rise from 7.3 to 7.6. **Houston-Galveston** urban contemporary KMJQ(FM) held first place position with rise in share from 8.8 to 9.3.

□

As promised, **Representative Tom Tauke** (R-Iowa) **introduced "Television Self-Regulation Act,"** bill that would lift antitrust restrictions and enable broadcasters to adopt industry code on programing practices. Last June, Tauke said he would offer legislation that would allow National Association of Broadcasters to revive its industry code. NAB dropped code in 1982 following court ruling that it was violation of antitrust laws. Tauke, in statement released with bill, said code will alleviate problems of government regulation of content. "Through a new code, broadcasters could effectively address many of the problems that have vexed lawmakers and regulators for decades: the appropriate amount of advertising during programs, including children's programs, the curbing of portrayals of violence, even the responsibility of news and public affairs programs to present more than one side of important issues." Code would be voluntary, but Tauke said FCC could take station's compliance with code into account at license renewal time. With Congress slated to adjourn this week, bill's future is in question.

□

NBC is offering to buy out contracts of as many as 140 camera operators, satellite system operators and other technicians. Majority of offers are being made to those in network's operations and technical services division, with other offers being made to those at news and station group divisions. Joe Rutledge, NBC director of corporate communications, said that fewer employes were needed after sale of radio division and "winding down" of election coverage. Employes have until Nov. 10 to decide whether to accept offer.

□

BMA Corp. is seeking to sell its two television stations, KTXL Sacramento, Calif., and KDVR Denver. Company has retained investment bank of First Boston Inc. to evaluate two Fox-affiliated UHF stations and to solicit proposals for their purchase. Vernon Voorhees II, president of BMA subsidiaries that operate stations, said: "I am interested in being considered a potential buyer, and BMA is aware of that." Two stations were on market in 1985, but no buyer was found. In last week's announcement, BMA said it expected to generate from $70 million to $85 million from sale of properties, which have book value to BMA of $30 million. Company said sale reflected "BMA's ongoing efforts to increase shareholder value," as well as effort to focus on company's core businesses, insurance and medical testing laboratory. Television stations reported combined 1987 operating loss of $2.5 million on revenue of $35.1 million. For first six months of 1988, stations lost $48,000 on revenue of $19.6 million.

□

Pegasus Broadcasting Inc. has agreed to sell WTVM(TV) Columbus, Ga., to American Family Broadcast Group for $45 million. Seller is Northbrook, Ill.-based group of one AM, one FM and four TV's, headed by Christopher J. Brennan. Buyer is Columbus, Ga.-based group of seven TV's headed by Leroy Paul. Deal is anticipated to close by year's end, pending FCC approval. WTVM is ABC affiliate on ch. 9 with 284 kw visual, 52.5 kw aural and antenna 1,650 feet above average terrain.

□

Warner Communications, as expected, **has filed appeal to ruling blocking its acquisition of Lorimar Telepictures.** Hearing on appeal will take place week of Nov. 21, according to Warner spokesman.

□

Source at Tele-Communications Inc. said **TCI and Comcast plan to file petition for reconsideration at Connecticut Department of Public Utility Control,** which has turned downed companies'

Cable ratings up slightly in third quarter

Buoyed by Lifetime, the prime time ratings for eight basic cable networks increased slightly in the third quarter of 1988, rising 0.2 in total. Figures for Nickelodeon, Nick at Nite, MTV, VH-1, and FNN were not available. Lifetime, which recorded the largest jump, attributed its increase to the introduction of Cagney & Lacey in February, and a better movie lineup. Its figures do not include its Sunday lineup of medical programing.

	Prime time rating				*Full schedule rating*			
	3rd quarter '88 (Households)		*3rd quarter '87 (Households)*		*3rd quarter '88 (Households)*		*3rd quarter '87 (Households)*	
WTBS	2.6	(1,189,000)	2.5	(1,031,000)	1.6	(749,000)	1.5	(628,000)
USA	1.7	(777,000)	1.7	(664,000)	0.9	(400,000)	0.9	(348,000)
ESPN	1.6	(783,000)	1.8	(768,000)	N/A	N/A	0.7	(312,000)
CNN/Headline	1.4	(656,000)	1.5	(630,000)	0.9	(416,000)	1.0	(421,000)
Lifetime	1.2	(502,000)	0.8	(273,000)	0.6	(247,000)	0.5	(178,000)
CBN	1.0	(424,800)	0.9	(334,900)	0.8	(332,200)	0.8	(297,000)
Nashville	0.9	(369,000)	1.1	(382,000)	0.4	(185,000)	0.6	(196,000)
Discovery	0.7	(242,200)	0.6	(135,600)	0.4	(138,400)	0.4	(90,400)
A&E					0.9	(310,000)	0.7	(191,000)*

* Gross average audience, sum of A&E's two four-hour programing blocks. ESPN numbers supplied by another network. CBN's prime time numbers are from 7 p.m. to midnight. Its full schedule ratings are for 18 hours.